United Nations A/C.5/60/SR.45

General Assembly
Sixtieth session

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Fifth Committee

Summary record of the 45th meeting
Held at Headquarters, New York, on Tuesday, 4 April 2006, at 10 a.m.

Chairman: Mr. Ashe ..... (Antigua and Barbuda)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

06-29605 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

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Investing in the United Nations: for a stronger Organization worldwide (*continued*) (A/60/692 and Corr.1 and A/60/735 and Corr.1)

1. **Mr. Sul** Kyung-hoon (Republic of Korea) said that the Secretary-General's report (A/60/692 and Corr.1), which was the fruit of his nine years at the helm of the United Nations, presented bold proposals for reform which were designed to equip the Secretariat to face the challenges of the twenty-first century. According to the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/60/735 and Corr.1), the Secretary-General's proposals could be grouped into three categories: first, proposals that were within the purview of the Secretary-General and therefore did not require specific legislative approval; second, proposals that were within the Secretary-General's prerogative to act but might have financial implications necessitating the involvement of the General Assembly; and third, proposals requiring a policy decision from the General Assembly. His delegation expected the Secretary-General to move forward in implementing those measures that were within his purview as chief administrative officer of the Organization.

2. Since a detailed implementation report on management reform was due to be submitted in May 2006, Member States should, at the current time, focus on providing strategic input. In that connection, the Advisory Committee's report contained a number of useful recommendations on the format and content of the implementation report. With the forward-looking and concerted guidance of the Fifth Committee, the Secretariat would be able to devise sensible, feasible and detailed implementation plans which would provide much-needed clarity on the future shape and functions of the reformed Secretariat.

3. As the Advisory Committee had pointed out, a set of principles to ensure accountability was key to the successful management of the Organization. While his delegation agreed that the Secretary-General should have more flexibility in managing posts and resources, Member States should, in return, be able to hold him more accountable for his actions. To that end, objective mechanisms to assess the performance of the Secretary-General should be established. Furthermore, the concept of accountability within the Secretariat must be defined and the forthcoming report should include proposals for workable methods of enforcing such accountability. His delegation hoped that the informal consultations on the reform proposals would be informative, constructive and apposite and that they would be concluded in a timely manner.

4. **Mr. Hussain** (Pakistan) said that Pakistan, which had been in the vanguard of the United Nations reform process, had consistently stressed that all reform-related decisions should be adopted by consensus. Its support for the proposals contained in the report was based on the understanding that they would not alter the intergovernmental nature of the Organization. Management reform should lead to greater transparency, efficiency and coordination and should enhance accountability and ethical conduct. It should also allow all States to participate equally in setting the strategic direction and programmatic priorities of the Organization and strengthen the role of developing countries. Under no circumstances should it undermine the principle of the sovereign equality of all Member States or the oversight role and authority of the General Assembly.

5. It was his understanding that the proposals in the Secretary-General's report were being presented as a package. Accordingly, he would be grateful for clarification about the implications for the report as a whole of a lack of agreement on individual elements of it. He also wished to know whether the reports that the General Assembly had already requested on various reform-related issues, such as compulsory mobility and the harmonization of contractual arrangements, would

still be prepared by the Secretariat and, if so, whether the discussion of the current report would influence their content.

6. The proposed establishment of a change management office had not been well received in the past and continued to invite questions about the objectives, financing, structure and role of such an office. He would like more detailed information on those elements. While the concept underpinning the Secretary-General's vision was the transformation of the Organization from a Headquarters-based to a field-based institution, the report did not shed sufficient light on that concept, particularly as it related to development activities, and further details should therefore be provided.

7. While he viewed the proposals on career development and training in a positive light, the General Assembly would need additional information about specific resource requirements. He enquired as to the salient features of the career development package and asked whether replacing permanent contracts with open-ended "continuing appointments" would result in the integration of extrabudgetary posts and field staff into the main Secretariat staffing table. What were the implications, for the level and geographical distribution of staff, of integrating Headquarters and field operations into an Organization-wide mobility programme, and how would the issue of high vacancy rates in field missions in developing countries be addressed?

8. The post of Deputy Secretary-General had been established pursuant to General Assembly resolution 52/12 B. However, the role envisaged in the Secretary-General's report far exceeded the responsibilities set out in that resolution. How would the Deputy Secretary-General be held accountable for his or her actions?

9. He also enquired about the implications of regrouping the 25 departments and offices that currently reported directly to the Secretary-General into eight clusters and asked whether such a move would lead to programmatic shifts and the merging of related departments. He wished to know how the proposed regrouping would affect the organizational chart and the budget process and what impact that apparently administrative change would have on the substantive role of senior managers. He wondered what had happened to earlier reforms designed to improve the performance and coordination of senior management. What would the proposed training and development plans for senior managers cost, and how could the selection process for senior managers be made more transparent?

10. In the area of information and communication technologies (ICT), the creation of an Assistant Secretary-General post should be preceded by the design of a coherent policy and strategy that built upon existing infrastructure. In that connection, he asked why recent investments in ICT infrastructure had not yielded the anticipated results and wondered whether it was realistic to expect technology to replace efficiency and motivation.

11. Referring to the proposals on outsourcing, he stressed the importance of maintaining the quality and reliability of the services concerned. He asked how outsourcing would lead to better utilization of United Nations duty stations in developing countries. The implications of outsourcing for staff and for geographical distribution must be elaborated upon and measures must be taken to ensure that staff were consulted.

12. In general, the procurement policy described in the report was satisfactory. However, the procedure for selecting lead agencies required further clarification. He wished to know whether agencies such as the World Food Programme and the United Nations Office for Project Services had accountability mechanisms similar to those applied by the General Assembly and, in that connection, wondered whether it would be more appropriate to entrust the task of procurement to the General Assembly itself. He also asked how the new system would allow for the participation of developing country firms.

13. He was concerned that consolidating the budget process would weaken the role of Member States in setting the programmatic priorities of the Organization and lead to a lack of transparency and accountability. Furthermore, he wondered whether increasing the ceiling of the commitment authority for peacekeeping operations and de-linking it from a specified number of Security Council decisions amounted to an encroachment on the authority of the General Assembly. The inclusion of financial and programme information in the Secretary-General's annual report on the work of the Organization would alter the fundamental nature of the report and would complicate

its consideration and undermine its utility. The current reporting methodology seemed perfectly adequate, since it ensured that different types of information were reviewed by the competent committees of the General Assembly. Lastly, any time limits imposed on the schedule of meetings of the Fifth Committee could only be indicative, since flexibility was essential to enable the Committee to reach consensus on sensitive and important issues such as the capital master plan and the scale of assessments.

14. **Mr. Kovalenko** (Russian Federation) said that many of the management reform proposals contained in the Secretary-General's report required thorough analysis and discussion by the Member States, which would not be able to take balanced and well-informed decisions on them until they received the additional information to be submitted by the Secretary-General in May. The proposals and recommendations on changes to financial and human resources policies, rules and regulations must include a specific rationale for such changes and clear explanations of how they would enhance the productivity and effectiveness of the work of the Secretariat and the Organization at large.

15. His delegation would be considering the proposals put forward in the Secretary-General's current and forthcoming reports from the perspective of promoting the effectiveness of the Organization in accordance with the decisions taken at the 2005 World Summit. It therefore supported the Advisory Committee's recommendations concerning the basic parameters of the report to be submitted in May, including its recommendations on an accountability framework.

16. The Secretary-General's report included many proposals which had previously been submitted for consideration by Member States. Some of them had been voted down by the General Assembly and others were still under consideration. Many of the current proposals, including those which were presented as basic reform measures, were not, strictly speaking, directly related to management reform as such. They included the proposals on increasing the level of the Working Capital Fund, creating a separate fund to cover expenditures arising from exchange rate fluctuations and charging interest on assessed contributions that were in arrears, as well as matters pertaining to interaction with the Secretariat. With respect to such interaction, there must not be a weakening of monitoring mechanisms, as was suggested in the report, but rather a strengthening and improvement of Member States' supervision of the activities of the Secretariat and the effective use of the Organization's resources.

17. Unlike ACABQ, his delegation considered that the Secretary-General's proposal to redefine the role of the Deputy Secretary-General went beyond the scope of the Secretary-General's mandate. The delegation of authority by the Secretary-General must be based above all on the Charter.

18. The proposed outsourcing or relocation of some of the operations of the Secretariat was a complex issue that required serious discussion and could not, as suggested by the Advisory Committee, simply be delegated to the Secretary-General. Decisions as to which Secretariat functions and departments should be subject to outsourcing and relocation, including decisions on the conduct of cost-benefit analyses, must be taken by the Member States. His delegation was somewhat taken aback by the haste with which the Secretariat had proceeded to explore — without consulting Member States, which were the main clients of the language services — possibilities for outsourcing and relocating those services, which were hardly ancillary and which made it possible to implement the principle of multilingualism in the Organization.

19. Concerning new ways of delivering services, his delegation proposed that the Secretariat should seriously consider the possibility of relocating the units involved in logistical and other support services to less costly locations closer to ongoing peacekeeping operations. It should also consider the possibility of relocating other units of the Secretariat in New York closer to their clients and users of their outputs and services, in the light of the current shift in the Organization's activities towards the field and the fact that New York was not the least costly of duty stations.

20. In conclusion, his delegation was surprised to note that, in the current general discussion, delegations had again reverted to issues concerning the procedure for considering the Secretary-General's report and the role of the Committee and plenary meetings of the General Assembly, despite the consensus reached on the format for consideration of the report. His delegation trusted that the Committee would focus on

the substantive consideration of the Secretary-General's proposals and recommendations.

21. **Ms. Udo** (Nigeria) said that the United Nations stood at a crossroads between past, present and future. The proposed reforms would allow Member States to take stock of the past in order to map out the future and to identify the essential elements that had shaped the Organization, which was one of a kind. Only a strong and well-resourced United Nations, in which the voice of every Member State was heard, could discharge its functions in an effective manner. Her delegation therefore supported any reforms designed to achieve that objective.

22. Member States had already adopted a number of measures designed to strengthen the Secretariat and increase accountability, such as the establishment of the Ethics Office and the introduction of a whistleblower protection policy. To ensure the success of the current proposals, the staff of the United Nations — its most valuable asset — must be fully involved in the reform process. In particular, every effort must be made to ensure that all staff understood the justification for and intended objectives of any proposals affecting them. Constructive and ongoing dialogue with all stakeholders would be crucial.

23. Over the years, Nigeria had demonstrated its support for the Organization through the contribution of financial and human resources. It remained committed to supporting any initiatives agreed upon by Member States with a view to strengthening the Organization. In that connection, she endorsed the views expressed by the representative of Norway at the Committee's preceding meeting, and stressed that the need to preserve the unique intergovernmental nature of the Organization must inform every decision taken by the General Assembly. Those decisions, in turn, should build on previous reform efforts. She hoped that the Secretariat would facilitate the Committee's consideration of the reports at issue by providing detailed answers to the questions posed and by preparing a detailed implementation report.

24. **Mr. Elnaggar** (Egypt) endorsed the views expressed by a number of previous speakers, including the representatives of Nigeria, Norway and Pakistan. He expressed the hope that the Committee's consideration of the reports in question would be completed expeditiously.

Organization of work

25. **The Chairman** drew attention to the Committee's tentative programme of work for the forthcoming two weeks.

26. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, said that, while she was grateful to the Chairman and the Bureau for having prepared the tentative programme of work, she hoped that it would be further refined to reflect the timing of the consideration of specific draft resolutions. As to the discussion of the reports on management reform, she expressed concern that, to date, gaps remained in the provision of conference services. She trusted that the Secretariat would make every effort to secure such services so that the Committee could conclude its work expeditiously.

27. While some delegations had expressed the opinion that the Secretary-General could proceed with some proposals that were within his purview as chief administrative officer of the Organization, her delegation did not fully understand all the proposals contained in the report and would like further clarification from the Secretariat. Consequently, steps should be taken to ensure that relevant Secretariat officials attended informal consultations in order to respond to the questions raised by Member States.

28. In closing, she said that the Group of 77 and China was prepared to adopt the tentative programme of work on the understanding that it would be adjusted as necessary.

29. **The Chairman** said he took it that the Committee wished to adopt the tentative programme of work, on the understanding that it would be amended as necessary.

30. *It was so decided.*

The meeting rose at 10.50 a.m.

United Nations A/C.5/60/SR.46

General Assembly

Sixtieth session

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23 May 2006

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Fifth Committee

Summary record of the 46th meeting

Held at Headquarters, New York, on Tuesday, 11 April 2006, at 3 p.m.

Chairman: Mr. Ashe ..... (Antigua and Barbuda)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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06-30568 (E)

The meeting was called to order at 3.25 p.m.

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations *(continued)*

Draft resolution A/C.5/60/L.34

1. **The Chairman** drew attention to draft resolution A/C.5/60/L.34, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations".

2. **Ms. Udo** (Nigeria) said that paragraph 7 (c) of the draft resolution should begin with the word "Establishing". Paragraph 8 should read, "*Recalls* its resolutions 57/278 A of 20 December 2002 and 59/264 A, and notes that there will be a separate report on the independent external evaluation of the auditing and oversight system within the United Nations, including the specialized agencies, as well as one on the comprehensive governance review".

3. *Draft resolution A/C.5/60/L.34, as orally corrected, was adopted.*

Agenda item 124: Programme budget for the biennium 2006-2007 *(continued)*

Draft resolution A/C.5/60/L.35

4. **The Chairman** drew attention to draft resolution A/C.5/60/L.35, entitled "Special subjects relating to the programme budget for the biennium 2006-2007".

5. *Draft resolution A/C.5/60/L.35 was adopted.*

6. **Mr. Mumbey-Wafula** (Uganda) said that his delegation had joined the consensus on the resolution on the understanding that the provisions concerning the deployment of staff with relevant knowledge to special political missions (part I, paras. 5 and 6) would be implemented in the context of the Great Lakes Conference. With respect to the United Nations Panel of Experts on the Democratic Republic of the Congo, his delegation hoped that appropriate action would be taken to address concerns about the Panel's continued relevancy and methods of work, as well as the need to avoid duplication and to enhance efficiencies in United Nations operations.

7. His delegation hoped that part I, paragraphs 7 and 8, of the resolution would be applied in order to address the overlap between the work of the Panel and that of the Conference. When adequately staffed, the Conference could complement the Panel and take on certain aspects of its work. His delegation's views concerning the Peacebuilding Support Office would be expressed at a later stage in the Committee's proceedings by the Chairman of the Group of 77 and China.

8. **Mr. Ekorong a Dong** (Cameroon) recalled that one of the special political missions addressed by the resolution was the Cameroon-Nigeria Mixed Commission for the implementation of the ruling handed down by the International Court of Justice on 10 October 2002. That ruling had resolved the various disputes concerning the land and maritime boundary between Cameroon and Nigeria, as well as the question of sovereignty over the Bakassi Peninsula.

9. His delegation wished to thank all those Member States that had supported the Mixed Commission's work, as well as those countries and regional organizations that had provided bilateral support for the Mixed Commission's activities concerning the boundary demarcation process. His delegation also wished to congratulate the Secretary-General for his initiative to inform Member States of the Mixed Commission's work.

10. However, his delegation had been surprised to note the somewhat vague priorities set out in the Secretary-General's report (A/60/585/Add.1) for the Mixed Commission's work in 2006. As noted in paragraph 16.5 of the report, the third and final phase of the withdrawal and transfer of authority had been delayed for technical reasons. His delegation had hoped that explicit priority would be given to the withdrawal from the Bakassi Peninsula in 2006, and had been disappointed by the answers given by the Secretariat in that regard during the Committee's informal consultations.

11. The Secretariat should inform the Committee of the various decisions taken on the matter, particularly at the meeting which the two Heads of State concerned had held with the Secretary-General in Geneva on 11 May 2005. Those decisions had led to two important actions: first, Nigeria had proposed a timetable for full withdrawal by July/August 2006, and second, the Mixed Commission had examined the proposed timetable in October 2005 and had submitted it to the two Heads of State. His delegation trusted that the

withdrawal from the Bakassi Peninsula remained a priority for 2006.

12. **Ms. Udo** (Nigeria) said that her delegation would comment on the matter in question at a later date.

Agenda item 125: Programme planning *(continued)*

Draft resolution A/C.5/60/L.32

13. **The Chairman** drew attention to draft resolution A/C.5/60/L.32, entitled "Programme planning".

14. **Mr. Abelian** (Secretary of the Committee) said that in the sixth line of paragraph 8 of the draft resolution, the words "that it may" should be replaced by the word "to".

15. *Draft resolution A/C.5/60/L.32, as orally corrected, was adopted.*

16. **Mr. Berti Oliva** (Cuba), referring to paragraph 19 of the resolution, recalled that, because certain members of the Committee for Programme and Coordination had demonstrated a lack of political will and a desire to discredit the work of that Committee, no agreement had been reached on the improvement of its working methods at its forty-fifth session. His delegation hoped that that situation would not recur at the forty-sixth session. In that connection, the work of the Cuban delegation had been hampered by the United States Government's deliberate delay in granting visas to Cuba's representatives on the Fifth Committee. Cuba trusted that the United States would, in future, honour its responsibilities and obligations as host country.

Agenda item 127: Pattern of conferences *(continued)*

Draft resolution A/C.5/60/L.16

17. **The Chairman** drew attention to draft resolution A/C.5/60/L.16, entitled "Pattern of conferences".

18. *Draft resolution A/C.5/60/L.16 was adopted.*

19. **Mr. Cardy** (South Africa), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to ensuring the equal treatment of the official languages of the United Nations, as well as the timely issuance of documentation, the provision of adequate conference facilities to Member States and the integration of information technology across duty stations.

20. The Group wished to reiterate the importance of meetings of regional and other major groupings of Member States for the smooth functioning of sessions of intergovernmental bodies. It was disappointed that certain Member States were still unwilling to provide the additional resources needed to address the decline in interpretation services for meetings held by regional and other major groupings of Member States. The problem must be solved without further delay.

21. Timely, easy and rapid access to documents in the Organization's six official languages was essential to the success of intergovernmental processes. Regrettably, the resolution just adopted by the Committee did not attach sufficient importance to addressing the backlog in summary and verbatim records in the six official languages, in the interest of maintaining the Organization's institutional memory.

22. The measures taken thus far to address the chronic problem of late issuance of documentation were inadequate. The Group was pleased that the Committee on Conferences would conduct a thorough analysis of the issue with a view to making concrete proposals on an accountability framework to ensure full compliance with the established rules on submission processes and document issuance.

23. The Secretariat should continue its efforts to create parity among duty stations with respect to information technology and to fill vacancies in the interpretation and translation services at the United Nations Office at Nairobi. It should take further measures to address those problems, including the conduct of a special competitive examination to fill vacant Arabic language posts. The Group wished to acknowledge the important work of the Committee on Conferences and to reiterate its full support for that body's mandate.

24. Lastly, the Group wished to emphasize that any reduction in the length of reports originating from the Secretariat should not negatively affect the quality of the presentation or content of the reports and should also be implemented on a non-selective, flexible and case-by-case basis. The current mandates of the General Assembly encouraged intergovernmental bodies to abide by certain page limits. However, page limits on intergovernmental reports could not be enforced, and the Group shared the opinion of the Chairman of the Special Committee on Peacekeeping Operations that recent attempts by the Secretariat to

impose a page limit on the Special Committee's report were unacceptable. The Group therefore expected the Secretariat to carry out its mandate and present that report to the Fifth Committee in full.

Agenda item 130: Joint Inspection Unit (*continued*)

Draft resolution A/C.5/60/L.31

25. **The Chairman** drew attention to draft resolution A/C.5/60/L.31, entitled "Joint Inspection Unit".

26. *Draft resolution A/C.5/60/L.31 was adopted.*

Agenda item 132: Report of the Secretary-General on the activities of the Office of Internal Oversight Services (*continued*)

Draft resolution A/C.5/60/L.33

27. **The Chairman** drew attention to draft resolution A/C.5/60/L.33, entitled "Report of the Secretary-General on the activities of the Office of Internal Oversight Services".

28. *Draft resolution A/C.5/60/L.33 was adopted.*

Other matters

29. **Mr. Matsunaga** (Japan) said that his delegation wished the Committee to keep open agenda item 128, "Scale of assessments for the apportionment of the expenses of the United Nations", and to continue its consideration of the report of the Committee on Contributions (A/60/11).

The meeting rose at 4 p.m.

United Nations A/C.5/60/SR.47

General Assembly
Sixtieth session

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Fifth Committee

Summary record of the 47th meeting
Held at Headquarters, New York, on Monday, 24 April 2006, at 10 a.m.

Chairman: Mr. Ashe ..... (Antigua and Barbuda)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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Agenda item 129: Human resources management (*continued*)

Agenda item 136: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

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06-32198 (E)

The meeting was called to order at 10.35 a.m.

Agenda item 124: Programme budget for the biennium 2006-2007 (*continued*)

Draft resolution A/C.5/60/L.38

1. **The Chairman** drew the Committee's attention to draft resolution A/C.5/60/L.38, entitled "Capital master plan".

2. **Mr. Sach** (Controller) said that prior to the adoption of the draft resolution the Secretariat wished to place on record certain clarifications, as sought during the Committee's informal consultations. In accordance with paragraphs 2 and 3 of the draft resolution, $23.5 million would be assessed on Member States following the adoption of the draft resolution.

3. The commitment authority of $77 million referred to in paragraph 4 would enable the capital master plan project to proceed with procurement activities and to enter into contracts without prejudice to a decision to be made in May 2006 on either strategy 3 or strategy 4. Approval of the commitment authority would not impede the critical path of the project.

4. It was expected that the majority of the expenditure would be incurred in the final quarter of 2006. At that time, if the commitments authorized had not been appropriated and assessed, other available cash resources would be deployed from existing reserves to meet payment needs.

5. **Mr. Bolton** (United States of America) said that his delegation appreciated the efforts of the Executive Director for the Capital Master Plan and the capital master plan office to find ways to manage and implement the project as cost-effectively as possible. As host country the United States wished to ensure that there was a safe and secure environment for delegations and staff working at United Nations Headquarters. That was why it had supported the capital master plan project.

6. The United States was prepared to agree to an appropriation of $23.5 million so that the office could continue its design work until the General Assembly had decided on the plan strategy, preferably during the second part of the resumed session. It was critical to reach such an agreement before funds were approved for the project. The United States must therefore dissociate itself from the consensus on the draft resolution.

7. His delegation would continue to work with the Executive Director and the office to arrive at critical decisions on the plan so that United Nations Headquarters would remain a safe place in which to work. In that context the United States hoped that other delegations would support the efforts of the New York City Fire Department to obtain the floor plans of the Secretariat Building. The Secretariat, inexplicably, had refused to hand over the plans, thus endangering the lives of staff, delegations and visitors.

8. *Draft resolution A/C.5/60/L.38 was adopted.*

9. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that he welcomed the adoption of the draft resolution because it recognized the importance of proceeding with a sense of urgency to implement the capital master plan. The Group had endorsed the immediate allocation of $100.5 million for the project's design and pre-construction phases in the interests of bringing the Headquarters complex up to the appropriate safety and security standards and of preserving it as a worthy icon of the United Nations, the world's pre-eminent multilateral organization.

10. Regrettably, however, the implementation of the capital master plan had been repeatedly delayed by the collapse of many of the assumptions that had initially underpinned it. For example, the New York State legislature had refused to authorize the use of land or the issuance of tax-free bonds to construct the UNDC5 building. Furthermore, the host country had failed to honour the informal commitment it had given to the Committee, prior to the adoption of General Assembly resolution 57/292, to provide an interest-free loan to finance the capital master plan, and had also failed to renew even its disappointing interest-bearing loan offer. In the meantime, rental and construction costs in New York City continued to rise. The delays in implementing the capital master plan had dramatically increased the costs at a time when the Organization faced rising demand for its humanitarian and peacekeeping missions.

11. The Group was therefore deeply distressed that the host country had been unable to join the consensus to approve the full allocation of funds requested by the Secretary-General and had delayed the adoption of the resolution by several weeks. The arbitrary allocation of

$23.5 million proposed by one delegation would not have sufficed to allow the United Nations to move forward on schedule with the critical lease obligations and commitments necessary for the pre-construction work. The Group had also noted with deep concern the estimate by the Executive Director for the Capital Master Plan that the cost of the plan had risen by $225,000 each day that the resolution's adoption had been delayed.

12. The host country should shoulder its responsibilities towards the United Nations and commit itself to the timely implementation of the plan. The Group also wished to recall paragraph 30 of General Assembly resolution 57/292, which requested the Secretary-General to take the provisions of General Assembly resolutions 54/14 and 55/247 on procurement reform fully into consideration in the implementation of the plan.

13. During the consultations leading to the adoption of the resolution, the Group had expressed concern at the narrow formulation of the request for tender for the contract to hire a construction management firm for the plan. The Group believed that the request for tender might favour experts from developed countries and also had misgivings about the way in which it had been advertised. The Group therefore called on the Secretary-General to ensure that the plan was implemented in a manner that respected the Organization's multinational character.

14. Following the adoption of the resolution the capital master plan team was in a position to proceed with critical design and pre-construction work. However, Member States would soon be called upon to take decisions on the scope option and financing mechanisms for the project's construction phase. The Group was committed to revisiting the scope and financing aspects during the second part of the resumed session. It therefore looked forward to receiving a more comprehensive business analysis proposal on the possibility of constructing a new permanent building on the North Lawn, which would help Member States to decide on the scope option.

15. **Mr. Sardenberg** (Brazil) said that his delegation wished to thank the Executive Director for the Capital Master Plan for visiting the Brazilian architect Oscar Niemeyer in Rio de Janeiro. Of all the architects who had taken part in the design and construction of the United Nations Headquarters complex, Mr. Niemeyer was the only one still living. The Brazilian delegation appreciated the deference thus shown to Mr. Niemeyer and would like to hear an account of the latter's impressions at an appropriate time.

Agenda item 46: Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields (*continued*)

Agenda item 118: United Nations reform: measures and proposals (*continued*)

Agenda item 120: Follow-up to the outcome of the Millennium Summit (*continued*)

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 124: Programme budget for the biennium 2006-2007 (*continued*)

Agenda item 128: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*)

Agenda item 129: Human resources management (*continued*)

Agenda item 136: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Draft resolution A/C.5/60/L.37/Rev.1

16. **The Chairman** drew the Committee's attention to draft resolution A/C.5/60/L.37/Rev.1, entitled "Investing in the United Nations: for a stronger Organization worldwide".

17. **Mr. Kumalo** (South Africa), introducing the draft resolution on behalf of the Group of 77 and China, said that the Group had worked tirelessly with other delegations to produce a balanced draft that reflected the concerns of various States. There was general agreement among Member States concerning almost all the proposals put forward by the Secretary-General. The first draft of the resolution, which was contained in document A/C.5/60/L.37, had included all the consensus agreements reached by Member States by

the deadline of 18 April 2006 set for the negotiations. The current draft included further contributions on which consensus had been reached by 20 and 21 April 2006.

18. There should be no doubt that the Group strongly supported ongoing efforts to reform the Organization. It was committed to a United Nations that was more efficient, effective and accountable to Member States, as envisioned in the Charter of the United Nations. Reform was a collective agenda which should serve the interests of all Member States. Any attempt to prevent certain Members from contributing ideas on the strengthening and operation of the Organization contradicted the spirit and letter of the Charter.

19. The draft resolution before the Committee anticipated the three reports that the Secretary-General would submit to the General Assembly in May, June and September 2006. The Group was pleased at the consensus reached among all Member States that the three reports would be critical in helping them to decide on the important issues raised in the Secretary-General's report entitled "Investing in the United Nations: for a stronger organization worldwide" (A/60/692 and Corr.1). Every Member State had supported the issuance of the three reports and the time lines for their issuance because there was overwhelming consensus that more information was required in order to take the relevant critical decisions.

20. It was particularly important to recall that the three reports would elaborate on the Secretary-General's proposals to recruit and retain highly qualified staff reflecting the Organization's international character, improve the conditions of service of staff, strengthen leadership in the Secretariat, increase training, improve information and communication technology systems, enhance procurement procedures and improve the performance evaluation and reporting of the Secretariat.

21. The Group was on record as strongly supporting the strengthening of oversight and accountability in the Organization. It had already supported the creation of an ethics office, the formulation of a whistleblower protection policy and measures to increase the auditing and investigative capacity of the Office of Internal Oversight Services. In view of the importance of accountability, the Group was pleased that other Member States had been able to join the consensus on the need to include language stressing the importance of accountability for the effective and efficient implementation of legislative mandates and the use of resources. The Group looked forward to the Secretary-General's response to the request for a more specific definition of accountability, including its mechanisms, as well as his proposals on parameters and instruments for the rigorous enforcement of accountability at all levels of the Secretariat.

22. It had become clear during the negotiations on the draft resolution that there was a wide divergence of views on certain issues relating to the role and prerogatives of Member States in the General Assembly, which were clearly set out in the Charter. However, those issues bore no relation to the reform of the Secretariat. It had become apparent that deliberate attempts were being made to broaden the interpretation of paragraphs 162 and 163 of the World Summit Outcome (Assembly resolution 60/1) by introducing extraneous issues that had been rejected during the negotiations on that text.

23. The Group of 77 and China neither understood nor agreed that the Secretary-General's ability to carry out his duties precluded the right of all Member States to pronounce on the administration of the United Nations, including its budget. To suggest that a small but representative group of Member States could replace the role of all Member States in carrying out the oversight responsibilities of the General Assembly was to deny every United Nations Member State its rightful role and to attempt to undermine the equality of Member States that was enshrined in the Charter.

24. The Group stressed in the draft resolution that proposals 20 and 21 of the Secretary-General's report bore no relation to the requests of the Assembly as outlined either in resolution 60/1 or in any other legislative mandate adopted by the Assembly. The right of every Member State to have an equal say in the Organization's decision-making must be upheld, and was not dependent on the size of its contribution to the Organization's budget. If the Assembly refrained from, or even delayed, pronouncing itself on the governance proposals, it would be shirking its responsibility under the Charter.

25. Sections VI, VII and VIII of the draft resolution provided for the broadest possible consensus in light of the various views expressed by Member States on governance and on the Assembly's decision-making processes. Most of the paragraphs in those sections

were based on agreed language and on agreements reached by consensus, some as recently as 23 December 2005, and also during the Committee's negotiations of March and April 2006.

26. The draft resolution reflected all the agreements reached by Member States during the negotiations, including the agreement on the elements to be contained in the three reports to be submitted in May, June and September 2006. With regard to the more contentious areas, it provided a middle ground for the broadest possible consensus. It would enable Member States to act decisively regarding the additional resources that the Secretary-General might need in order to implement the proposals.

27. **The Chairman** said that the delegation of South Africa had requested, on behalf of the Group of 77 and China, that consensus action should be taken on the draft resolution at the Committee's current meeting.

28. **Mr. Pfanzelter** (Austria), speaking on behalf of the European Union, said that the European Union also wished to achieve consensus, but that it and other major players in the Committee could not join the consensus on the text. More time for reflection was required, and he therefore requested that the meeting should be suspended.

29. **Ms. Banks** (New Zealand), speaking also on behalf of Australia and Canada, said that she supported the European Union's request for a suspension of the meeting. New Zealand, Canada and Australia also hoped that it might be possible to reach a consensus, but did not believe that such a consensus had yet been achieved.

30. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that he would be grateful if the European Union could clarify its request for more time. It was the understanding of the Group of 77 and China that the issues addressed in the draft resolution had been thoroughly discussed.

31. The Group also wished to know whether the European Union's request invoked rules 116, 117 and 118 of the General Assembly's rules of procedure. If so, it would be tantamount to calling for a motion for no action, and the Group of 77 and China would object. However, the Group was not prepared to object without knowing the true nature of the European Union's request.

32. **Mr. Ozawa** (Japan) said that although delegations had worked tirelessly to achieve a consensus resolution, there were still differences of opinion, which were not limited to proposals 20 and 21. Japan therefore requested that the sponsors of the draft resolution should not pursue action at the current time. Since the draft resolution did not enjoy broad consensus, forcing action on it might lead to unknown consequences. His delegation was not asking the sponsors to withdraw the draft resolution, nor was it asking for a motion for no action. Japan was concerned at the potentially divisive consequences of taking action, and only wished to salvage the Committee's traditional practice of acting on the basis of broad consensus.

33. If the sponsors would agree to such an approach and put the draft on hold, his delegation would request the Chairman to report to the President of the General Assembly on the status of discussions on the matter, including the status of the draft resolution. The matter would presumably then be taken up during the second part of the resumed session of the General Assembly.

34. **Mr. Bolton** (United States of America) said he took it that the European Union's request for suspension was not a motion under rule 118, which was not debatable. Since the motion was being debated, it could not be a motion for suspension. The United States also believed that there was no consensus on the draft resolution.

35. According to the terms on which the Secretary-General's report had initially been referred to the Committee, it was the understanding of the President of the General Assembly that if the Committee took action by 18 April 2006, such action would in due course be considered by the full Assembly, but that if it did not take action by that date, the matter would return in its entirety to the General Assembly plenary, since certain aspects of the text before the Committee were not, strictly speaking, within its jurisdiction.

36. It therefore seemed that the point at which the matter should revert to the plenary, according to the terms of the initial referral, had already passed. If the Group of 77 and China followed the suggestion made by the delegation of Japan, the Committee could appropriately state that it had discharged its duty with respect to the matter, which would again be properly put before the General Assembly plenary.

37. **Mr. Kumalo** (South Africa), responding on behalf of the Group of 77 and China to the comments on the draft resolution, said that the Group rejected any implicit call for a motion for no action pursuant to rules 116, 117 or 118 of the Assembly's rules of procedure. The Group considered the draft resolution to be of great importance, and wished the Committee to take action on it.

38. **Mr. Pfanzelter** (Austria), speaking on behalf of the European Union, said that the European Union's appeal for a suspension of discussion on the matter in question had been aimed at safeguarding the Fifth Committee principle of decision-making by consensus, rather than at invoking the rules of procedure to call for no action to be taken on the draft resolution. He hoped that all members of the Committee realized that major groups of States, particularly States which were substantial contributors to the Organization, felt that there was no consensus on that draft resolution, and that a way forward must be found. The European Union proposed that there should be no immediate action on the draft resolution and that Member States and the Chairman should be given more time to reach an outcome on which all could agree.

39. **The Chairman** said that he detected insufficient consensus on the course of action which the representative of South Africa had proposed on behalf of the Group of 77 and China. Moreover, reviving a debate that had already been conducted at length during plenary meetings of the General Assembly would clearly be a barrier to progress. Accordingly, he suggested that the Committee should temporarily suspend its consideration of the matter to allow all delegations a further 48 hours for discussion.

40. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that his Group did not wish to deny the Committee the opportunity to make progress on the matter before it. However, the Group's negotiating partners must make clear their desired basis of discussion. While his Group would support further debate on the draft resolution it had introduced, it could not support arguments in favour of taking no further action or referring the issue back to the President of the General Assembly. As it had taken previous negotiations very seriously and had no wish to be seen as unreasonable or as refusing to countenance any further debate, it was willing to spend the next 48 hours meeting anywhere, at any time, to discuss remaining areas of disagreement. It then expected the Committee to hold a formal meeting on Thursday, 27 April 2006, to take action on the draft resolution.

41. **The Chairman**, expanding on his earlier suggestion, said that, if the Committee so agreed, he would use the 48-hour interval to consult with all delegations on the draft resolution, with a view to calling a meeting on 27 April to take action on it.

42. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that it was important to stress that further discussion of the draft resolution would be taking place within the Fifth Committee, where the views of every Member State could be taken into account.

43. **Mr. Bolton** (United States of America) said that some miscalculation seemed to have taken place, as a 48-hour period would in fact expire on Wednesday, 26 April 2006. The Fifth Committee was entitled to know what status the Group of 77 and China ascribed to the agreement with the President of the General Assembly on deadlines for the Committee to consider the reform proposals. He wondered whether — as a result of the expiry of the original 18 April and subsequent 20 April deadlines — issues which were outside the purview of the Fifth Committee had reverted to the General Assembly plenary and the Secretary-General for consideration and consequent action, or, alternatively, whether the agreement was considered suspended. His delegation was also interested to know the views of the Chairman and the President of the General Assembly — who was not present to provide a response — on that matter. The current meeting was already seven days past the original deadline given to the Committee, and a further two-day postponement was being contemplated. Lastly, as a number of delegations continued to disagree with the draft resolution sponsored by the Group of 77 and China, and the latter seemingly intended to put it to a vote at the Committee's next formal meeting, he wondered what the Committee could or would achieve in the next 48 hours.

44. **The Chairman** recalled that, on 17 April 2006, he and the President of the General Assembly had agreed that the original 18 April 2006 deadline for consideration of the reform proposals in the Fifth Committee was unrealistic and that the Committee must be allowed more time for discussion. They had

communicated that conclusion to the Committee on the same day.

45. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that his Group had perhaps been too generous in determining that the end of the 48-hour period for additional debate should be taken to be Thursday, 27 April, and could just as easily agree to a meeting on Wednesday, 26 April. Its intention, set out in his earlier statement, was nevertheless clear. He had been fully conscious of the impending 18 April deadline, having pointed out, as it had approached, that the Committee was running out of time, even though some delegations were still awaiting instructions from their capitals or otherwise delaying the debate. When the deadline had been extended by two days, the Group had redoubled its negotiating efforts, found additional points of consensus and taken the opportunity to add them to its original draft resolution of 18 April 2006.

46. The President of the General Assembly had transmitted the report of the Secretary-General (A/60/692 and Corr. 1) to the Fifth Committee in its entirety, with the clear understanding that the Fifth Committee would adopt a resolution on all its elements. While he respected the views of those who pointed to the progress still to be made, he considered that the remaining difficulties were concentrated in two paragraphs of the draft and that a comprehensive resolution was within reach.

47. **Mr. Bolton** (United States of America), welcoming the recognition of the representative of South Africa that the President of the General Assembly had extended the 18 April 2006 deadline by only two days, reminded the Committee that, on 24 April 2006, it was contemplating a further deferral of action until 26 April 2006. Before taking a decision on such an extension, the Committee must know whether it still had any agreement on deadlines with the President of the General Assembly. The apparent elasticity of those deadlines was of great concern to his delegation, which had only consented to the arrangements for referral of the Secretary-General's report to the Fifth Committee because of the "snap-back" mechanism ensuring that the issue would revert to the General Assembly plenary, in an approach identical to that used for discussion of the ethics reforms at the end of 2005. Contemplation of a further extension only proved how deep the disagreement still was. While his delegation was prepared to agree to extra discussion time, it doubted that much would be achieved.

48. **Mr. Kumalo** (South Africa), speaking on behalf of the Group of 77 and China, said that his Group was clearly not the originator of the request for more time, having announced that it was ready to take immediate action, by consensus, on the draft resolution. It was prepared to delay such action out of respect for those States and groups of States that wished to discuss the matter further. The request for more time for debate had been made by the European Union and the suggestion for an additional 48 hours had been made by the Chairman. He wished to emphasize that the only workable basis for discussion was the draft resolution he had just introduced on behalf of the Group, as it contained many elements on which consensus had been painstakingly built.

49. **Mr. Mazumdar** (India) said that his delegation interpreted the request made by the representative of Austria on behalf of the European Union as a sign of a genuine desire for a negotiated solution. Other delegations had questioned the Fifth Committee's competence to consider the matter, while still others had urged that consideration should be deferred to the second part of the resumed sixtieth session. He hoped simply that all delegations would share his delegation's understanding that the upcoming debate must be conducted in good faith, and within the Fifth Committee, so that a formal meeting could be held in 48 hours, or — as the United States representative had pointed out — on the morning of Wednesday, 26 April 2006.

50. **The Chairman** said he took it that the Committee wished to continue its discussion of the Secretary-General's report (A/60/692 and Corr.1) in accordance with his suggestion.

51. *It was so decided.*

The meeting rose at 11.25 a.m.